

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

CENTURY SURETY COMPANY, an Ohio
Corporation,

Plaintiff,

vs.

CASINO WEST, INC., a Nevada
corporation, RAFAEL CHAVEZ DUENAS,
individually; MARIA OFELIA CHAVEZ,
individually; and RAFAEL CHAVEZ
DUENAS and DIANA OFELIA CHAVEZ, as
Co-Special Administrators for the Estate of
Juan Pablo Chavez,

Defendants.

CASINO WEST, INC., a Nevada
corporation,

Counterclaimant,

vs.

CENTURY SURETY COMPANY, an Ohio
Corporation,

Counter-defendant.

Case No. 3:07-CV-00636-RCJ-WGC

Consolidated: 3:08-CV-00306-RCJ-WGC

ORDER

CASINO WEST, INC., a Nevada
corporation,

Plaintiff,

vs.

CENTURY SURETY COMPANY, an Ohio
corporation; NOBUKO KITAMURA,
individually, and as Guardian Ad Litem of
CHRISTIAN VEGA ROBLES; MATTHEW
SHARP, as Special Administrator for the
Estate of Donna H. Vega-Robles, et al.,

Defendants.

Currently before the Court are two matters. First, Admiral Insurance Company has filed a Motion to Intervene (Document #91). Second, Century Surety Company has filed a statement requesting that summary judgment be entered in its favor on Casino West, Inc.'s claims for breach of the implied covenant of good faith and fair dealing and violations of unfair insurance trade practices (Document #93).

The Court has considered the filings of the parties on these matters, as well as the oral arguments heard before the Court on November 24, 2014, and finds and concludes as follows:

As to the Motion to Intervene, no opposition has been filed, and, at oral argument, all parties expressed support for the requested intervention. While the Court was concerned with the lack of timeliness of the motion, the Court finds that the issues raised by the proposed Complaint in Intervention would need to be addressed in this matter even without Admiral Insurance Company's intervention. The Court therefore concludes that the requested intervention is appropriate and that the Motion to Intervene should be granted.

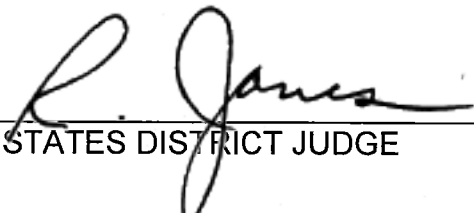
1 As to Century Surety Company's request for entry of summary judgment, the Court
2 finds that genuine issues of material fact exist with respect to Casino West, Inc's claims
3 for breach of the implied covenant of good faith and fair dealing and violations of unfair
4 insurance trade practices. The Court thus concludes that summary judgment is not
5 proper, and that Century Surety Company's request should be denied.

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7 Based upon the foregoing, and good cause appearing,

8 IT IS HEREBY ORDERED as follows:

- 9 1. Admiral Insurance Company's Motion to Intervene (Document #91) is
10 GRANTED; and
11 2. Century Surety Company's request for summary judgment (Document #93)
12 is DENIED.

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14 Dated this 10th day of December, 2014.

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18 UNITED STATES DISTRICT JUDGE
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